

**MINUTES OF A REGULAR MEETING OF THE  
RESOURCE CONSERVATION COMMISSION**

**April 21, 2003**

Ken Lee Building Conference Room  
430 "F" Street

**MEETING CALLED TO ORDER** by Chair Teresa Thomas at 6:30 p.m.

**ROLL CALL/MOTION TO EXCUSE**

**MEMBERS PRESENT:** Chair Teresa Thomas, Vice-Chair Doug Reid,  
Commissioners Juan Diaz, Stanley Jasek, John Chávez and  
Pamela Bensoussan (6:32)

**STAFF PRESENT:** Marilyn Pongeggi, Environmental Review Coordinator  
Maria Muett, Associate Planner  
Steve Power, Environmental Projects Manager  
Miguel Tapia, Principal Community Development  
Raymond Pe, Senior Planner  
Patricia Beard, Sr. Community Development Specialist  
Linda Bond, Recording Secretary

**GUESTS PRESENT:** Tom Mulder, Env America, Inc.  
Hooper Knowlton, Knowlton Realty Advisors  
Mary Hashum, Land Bank

**APPROVAL OF MINUTES:** April 7, 2003

**MSC** (Jasek/Reid) to approve the minutes of April 7, 2003 as submitted. **Vote:**  
(5-0-0-1) with Bensoussan absent.

**ORAL COMMUNICATIONS:** None.

**NEW BUSINESS**

**1. IS-02-006 – Auto Park North Specific Plan (PCM-02-04)**

Mr. Steve Power (*Environmental Projects Manager*) reported that the project involves the development of an automobile sales park on 39 acres of 18 contiguous parcels located on Main Street between Brandywine Avenue and Maxwell Road. The Specific Plan calls for the construction of 99,650 to 130,000 square feet of showrooms and support buildings.

Ms. Mary Hashum (*Land Bank based in Denver, CO*) presented the history of the project site via PowerPoint. The site is currently vacant. Prior to 1947, this site was basically vacant and used for various agricultural purposes.

- 1947-1962 – Omar Rendering Company constructed an animal by-product processing plant on-site, which produced meat and tallow by-products.
- 1962-1965 – Royal Tallow & Soap Company operated the site for essentially the same purposes.
- 1965-1986 – Darling-Delaware Company (aka Darling International) operated the plant until it was closed in 1981. All physical structures associated with the plant were removed.
- 1986-1987 – Rio Otay Industrial Properties who attempted to redevelop the property to non-rendering plant use. This company put the roads in, created the sewers and gutters and subdivided the property into 16 industrial lots. They sold the property because they did not know how to handle the environmental issues.
- 1987-1999 – The property reverted to Darling International.
- 1999-2002 – Otay Mesa Ventures I
- 2002-Present – Otay Mesa Ventures II, a subsidiary of The Land Bank Grouping

Ms. Hashum reported that the site operated as a rendering facility from 1947 to 1981. In addition, from 1958-1964, Omar Rendering operated an equipment and auto-wrecking salvage yard on a portion of the property. There were some underground storage tanks. There were some other automotive-related impacts. Omar also operated a trucking fleet from the 1950s through 1977. Omar transported liquid Class I hazardous waste. They would drive to companies, which produced these wastes, and take it to a disposal site. Omar operated three wastewater ponds on their site from the rendering operation. Omar constructed a total of six lined waste disposal ponds on this property and began to accept hazardous waste liquids for disposal on-site. Darling continued to operate those ponds and continued to accept hazardous waste until 1978. About 2-3 years later, Darling began the process to close those ponds. The ponds were drained of liquids; the liquids were transported off-site to a proper hazardous waste disposal facility, and they dug out the soils beneath the ponds. In order to remediate the waste cell, the soil beneath the former ponds was excavated between 25-35 feet below the layer of the former pond. It was placed into a clay-lined containment cell in the northwest corner of the site. That cell is permitted by the Regional Water Quality Control Board. After the work was done to remediate the soil, a risk assessment was done on the rest of the soil on-site. The risk assessment was submitted to the California Department of Toxic Substances Control (DTSC). DTSC wrote a memo in 1986 concurring with the findings of the risk assessment that site soils plus remediation were safe for industrial users of this site. It is deed-restricted to industrial use. Groundwater under the central portion of the site still retains some of the volatile organic chemicals that were formally located in the ponds. Groundwater around this cell has been monitored since 1982, and there is no indication that it leaks.

Ms. Hashum reported that soil from the back slope was used to fill the former ponds. The terraces are still present on the site. With the soil being cleaned up, what remains at this site is contaminated groundwater. The groundwater varies between 80 feet below ground surface at the back part of the property to 25-30 feet at street level. The groundwater contamination is residuals from the ponds. It is at highest concentration in the center of the property. The groundwater at the site is monitored semi-annually. The Regional Water Quality Control Board has jurisdiction over the water contamination issue.

Mr. Power stated that the project site is located in the Otay Valley Redevelopment area. The plan is for an automobile sales park. There are two site plans that were analyzed in the Mitigated Negative Declaration. The project would not exacerbate the groundwater issue. Air quality impacts resulting from construction-related operations are potentially significant, but they are considered short-term in duration and have been mitigated. The proposed project will not result in cumulative impacts on regional air quality. Engineering has reviewed the drainage study and has found it consistent with City standards. The traffic report states that signalization at Main Street/Roma Court and Main Street/Delniso Court would mitigate the traffic impacts to those intersections to a level of less than significant. A biological survey noted existing mature trees on the site, which could result in potential impacts to raptors and gnatcatchers that may be nesting. Aesthetic impacts of the project are mitigated to less than significant.

#### Commission Comments

Commissioner Bensoussan was concerned about contaminant runoff. Ms. Pongeggi stated that runoff from this site is no worse than any other site and that "Best Management Practices" would be used to ensure that contaminants would be filtered out of the runoff to the maximum extent possible.

Chair Thomas asked if the conceptual plan was the actual landscaping plan. Ms. Pongeggi responded in the negative. The landscape plan being proposed is to be compatible with the existing auto park and all the expansions.

Commissioner Bensoussan discouraged palms. She wanted a more native pallet of plants. Vice-Chair Reid felt it was more important to tie the auto park together, which is now under three ownerships and three different development phases. Mr. Hooper Knowlton (*Knowlton Realty Advisors, 1445 Canterbury Drive, Salt Lake City, UT 84108*) stated that there is an auto park landscape design that is mandated by the City. Palm trees are part of that design. Ms. Pongeggi indicated that the Final Specific Plan would go before the Redevelopment Agency to be approved. The Specific Plan contains the design guidelines for the landscaping.

Commissioner Bensoussan stated that there should be a recommendation to make landscaping that would actually act as a benefit to the property since it has had so

many negatives with the contamination that has gone on in the past, and the fact that there is a housing development up the hill.

Vice-Chair Reid noted that there was a discrepancy regarding the elevation of the residential development from the project site. Ms. Hashum indicated that, because of the terracing of the site and where you measured from, it might be 40 feet from the waste cell but 80 feet from the lower terrace.

Vice-Chair Reid stated that more reference documents need to be noted on page 13 of the Mitigated Negative Declaration. Ms. Pongeggi indicated that would be clarified in the final.

Commissioner Chávez reiterated that there is water monitoring going on. Have all the thresholds been met or have any been waived? Ms. Hashum stated that the thresholds have been met, and there are no waivers of any of the standards. The Totally Dissolved Solids (TDS) concentration in the water is extremely high. It is essentially unusable ground water. Part of Land Bank's permit for the waste cell, which is going to be renewed for another 30 years, is an obligation to inspect and to maintain the integrity of the waste cell.

Chair Thomas inquired about possible leakage from the waste cell. Ms. Pongeggi indicated that the City has no jurisdiction over the way the cell is capped. That is the responsibility of the Regional Water Quality Control Board.

Chair Thomas asked if there would be a carwash facility available in the auto park. Ms. Pongeggi responded that there would be a carwash facility that would fall under the same requirements as other carwash facilities in the City do. That drainage has to be contained and has to go into the sewer system.

Chair Thomas stated that there are homes above the project. She did not feel the plan for the palm trees was necessarily the best choice for both the aesthetics as well as the biological sustainability of a good environment. She recommended a secondary motion including a follow-up on what Commissioner Bensoussan addressed but also having sustainable environmental and economic principles rather than following up on something that has been mandated. Better choices need to be made.

Commissioner Jasek was impressed with the background information. He questioned the statement that dealerships would not be allowed to wash vehicles, in place, on the lots. Ms. Patricia Beard (*Sr. Community Development Specialist*) responded in the affirmative that cars could not be washed, in place, on the lots. There are mitigation measures in the Mitigated Negative Declaration for the carwash facility.

Commissioner Diaz asked about the risks of developing on the waste cell. Ms. Pongeggi quoted Condition #2 on page 10: "Prior to the issuance of grading permits,

the applicant shall demonstrate to the satisfaction of the City Engineer that grading of the waste cell parcel is consistent with requirements of the Regional Water Quality Control Board as contained in the Waste Discharge Requirement permit for the waste cell, as may be modified to allow additional soil to be placed on the cell.”

**MSC** (Jasek/Diaz) that the RCC determine that the Initial Study is adequate and the Mitigated Negative Declaration be adopted. **Vote:** (6-0-0-0)

### **Secondary Motion**

**MSC** (Bensoussan/Thomas) to ask that the landscaping on the site be landscaping that conforms with the sustainable environmental principles and that will include the type of plants that will contribute to aesthetics, the water availability and also contribute to enhanced air quality and water quality on the project and adjacent roadways. Place large canopy trees on the slope, the area adjacent to Main Street and large parking areas. **Vote:** (4-1-1-0) with Diaz opposed and Chávez abstaining.

Commissioner Diaz opposed because he thought the RCC was not really knowledgeable of what the developers were facing with the already set standards for car dealerships and what vegetation is called for.

Commissioner Chávez abstained because he did not feel landscaping was in the purview of the RCC. He felt it was a Design Review Committee issue.

## **2. IS-03-016 – 760 Broadway Village**

Ms. Maria Muett (*Associate Planner*) reported that the project consists of a vacant 2.53-acre site within the Southwest Redevelopment Area. The proposed in-fill project would consist of 40 single-family attached condominium lane homes and nine loft residential condominium flats over a 9,000 square foot retail space facing Broadway. Proposed on-site parking is 138 spaces including 40 two-car garages and four handicap spaces for the commercial area. There are existing retaining walls on the west and south sides, which will be repaired and raised to 6 feet. The Initial Study Checklist considered potential noise, traffic, soils, drainage, air quality and hazardous waste issues. All were found not to be significant.

Commissioner Bensoussan asked if the City owned the property. Mr. Miguel Tapia (*Principal Community Development*) responded in the affirmative. The Redevelopment Agency proposes to sell the property, but only as long as the project works out and is appropriate.

Chair Thomas asked who would pay for the soil upgrading. Mr. Tapia stated that, as part of the negotiations of the site, staff is proposing to have the City remediate and export the dirt out of the site.

**MSC** (Reid/Jasek) that the RCC finds the Initial Study adequate and recommends that the Mitigated Negative Declaration be adopted. **Vote:** (6-0-0-0).

## **OLD BUSINESS**

### **3. Historic Preservationist of the Year**

Commissioner Bensoussan distributed her nomination justification for J. Carlos Fox as Historic Preservationist of the Year. She stated that she had looked into the idea she had last meeting for a nomination (La Bella), and it just did not seem like a good fit. She then focused on Criteria #1 of the qualifying activities. Under that criterion, she looked at the Dupree-Gould House, Historic Site #22, and the significant work Mr. Fox had accomplished. She then read the justification.

Chair Thomas asked if there was some reason why his wife was not included in the nomination. Commissioner Bensoussan indicated that Mr. Fox was driving the project; his wife was really not involved in any of the activities.

Vice-Chair Reid indicated that Mr. Fox did what would be expected. Commissioner Bensoussan stated that this was major restoration.

Commissioner Diaz thought his wife should be included in the nomination. Chair Thomas concurred.

Chair Thomas asked if there were any other nominations. Vice-Chair Reid mentioned the people who brought the school bell back to Chula Vista. Maybe the RCC could think about that for next year.

Chair Thomas agreed that Mr. & Mrs. Fox were appropriate nominees, but noted that Nora McMartin from the Library might be considered at another time.

**MSC** (Bensoussan/Thomas) to nominate J. Carlos and Lucy Fox as Historic Preservationists of the Year. **Vote:** (6-0-0-0)

**ENVIRONMENTAL REVIEW COORDINATOR COMMENTS:** None.

**CHAIR COMMENTS:** Chair Thomas announced that the General Plan Update Steering Committee retreat date had been changed to the last Saturday in May at the Norman Park Center. Also, each RCC member received an invitation to the Growth Management Oversight Commission meeting on April 24, 2003. If there are more than two RCC members attending, does that have to be declared a RCC meeting? Ms. Pongeggi stated that as long as the members do not conduct any RCC business at the workshop, it should be okay.

**COMMISSIONER COMMENTS**

Vice-Chair Reid stated that he visited the site on Main Street. You are certainly aware that the Salt Creek/Otay Valley Trunk Line is being installed. It is huge.

Commissioner Bensoussan asked if the RCC was going to hear about the status of the Rohr Manor upgrade. Ms. Pongeggi indicated that she had not been able to get hold of Mr. Andy Campbell (*Director of Building & Park Construction*).

Chair Thomas asked about appointing a 7<sup>th</sup> member to the RCC. Ms. Pongeggi indicated that the City Council is working on that. The Mayor has made a couple appointments at the last two Council meetings. He is working his way through each one of the Commissions.

**ADJOURNMENT:** Chair Thomas adjourned the meeting at 8:39 p.m. to a regular meeting on Monday, May 5, 2003, at 6:30 p.m. in the Ken Lee Building Conference Room, 430 "F" Street, Chula Vista, CA 91910.

Prepared by:

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Linda Bond  
Recording Secretary